

PROB 12C
(793)

Report Date: August 17, 2011

United States District Court

for the

Eastern District of WashingtonFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

AUG 18 2011

JAMES R. LARSEN, CLERK
DEPUTY
SPOKANE, WASHINGTON**Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Raul Reyes Amaro

Case Number: 2:07CR02090-001

Address of Offender:

Name of Sentencing Judicial Officer: The Honorable Robert H. Whaley, Senior U.S. District Judge

Date of Original Sentence: 11/18/2008

Original Offense: Felon in Possession of a Firearm, 18 U.S.C. § 922(g)(1);
Felon in Possession of Ammunition, 18 U.S.C. § 922(g)(1)Original Sentence: Prison - 24 Months; Type of Supervision: Supervised Release
TSR - 36 Months

Asst. U.S. Attorney: Gregory M. Shogren Date Supervision Commenced: 3/12/2010

Defense Attorney: Gregory L. Scott Date Supervision Expires: 9/11/2012

PETITIONING THE COURT

To issue a warrant and incorporate the violations contained in this petition in future proceedings with the violations previously reported to the Court on May 14, 2010.

The probation officer believes that the offender has violated the following conditions of supervision:

Violation Number Nature of Noncompliance

- 4 **Special Condition # 14:** You shall complete a mental health evaluation and follow any treatment recommendations, including taking prescribed medications, as recommended by the treatment provider. You shall allow reciprocal release of information between the supervising probation officer and treatment provider. You shall contribute to the cost of treatment according to your ability.

Supporting Evidence: Mr. Amaro failed to attend his mental health appointments on July 12, and 25, 2011.

Mr. Amaro's mental health counselor called and advised the defendant was a no call/no show for his scheduled appointments on July 12, and 25, 2011.

- 5 **Special Condition # 16:** You shall undergo a substance abuse evaluation and, if indicated, enter into and successfully complete an approved substance abuse treatment program, including aftercare. You shall contribute to the cost of treatment according to your ability. You shall allow full reciprocal disclosure between the supervising probation officer and treatment provider.

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Supporting Evidence: Mr. Amaro failed obtain a drug and alcohol evaluation as directed as of August 12, 2011.

On April 7, 2011, a routine home inspection was conducted. While visiting with Mr. Amaro, he was overly emotional and appeared to be intoxicated. The defendant was confronted regarding his behavior and admitted he drank a couple of beers. There was beer located in his refrigerator and empty beer cans in his garbage. Mr. Amaro indicated he needed additional drug and alcohol counseling, but was more interested in seeing a mental health doctor. Mr. Amaro was directed to apply for ADATSA and obtain a drug and alcohol evaluation. To this date, Mr. Amaro has yet to obtain an evaluation as directed.

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Mandatory Condition # 2: The defendant shall not commit another Federal, state, or local crime.

Supporting Evidence: On August 14, 2011, Mr. Amaro was charged with assault in violation of a protection order, Yakima County Superior Court cause number 11-1-01152-1.

According to the Yakima Police Department narrative report, on August 14, 2011, an officer was dispatched to 616 South Third Street, apartment number 3, Yakima, Washington, in reference to an assault. The complainant reported that her mother was assaulted by her brother's father-in-law.

Upon arrival, the officer was informed by a female that her roommate, Raul Reyes Amaro, punched her mother on the chest with his fist after they got into an argument. She reported she witnessed the assault. The officer then spoke with the victim who also said Mr. Amaro punched her on the chest hard, causing her pain after they got into an argument. According to the victim, they were arguing about the victim's son, as the defendant believed her son had his car.

The officer located Mr. Amaro in apartment number 4, advised him of his rights, and the defendant agreed to speak with the officer. Mr. Amaro related he touched the victim on the chest, but not very hard.

Dispatch conducted a records check with the Washington State Department of Licensing, which revealed a no contact order was in place, between Mr. Amaro, the respondent, and victim and her daughter, the petitioners. Mr. Amaro was asked by the officer about the no contact order, he advised he thought the order had been removed. Mr. Amaro related the victim and her daughter asked to live with him, and they have been living together for about 2 months.

Mr. Amaro was arrested and subsequently booked into the Yakima County Jail for assault/domestic violence and the violation of a no contact order.

On August 15, 2011, the court found probable cause and bail was set at \$25,000. Mr. Amaro's next court hearing is set for August 29, 2011. The no contact order remains in effect.

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Mandatory Condition #2: The defendant shall not commit another Federal, state, or local crime.

Supporting Evidence: On August 14, 2011, Mr. Amaro was charged with violation of a protection order, Yakima Municipal Court, cause number H00015287.

The evidence for this violation is the same conduct as violation number 4. On August 15, 2011, the court ordered bail at \$2,000. Mr. Amaro's next court hearing is set for September 9, 2011.

The U.S. Probation Office respectfully recommends the Court issue a warrant and lodge as a detainer for the defendant to appear before the Court and answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 08/17/2011

s/Jose Zepeda

Jose Zepeda
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Other


Signature of Judicial Officer

8/18/11
Date